REMARKS

Favorable consideration of this Application as presently amended and in light of the following discussion is respectfully requested.

1-3, 5-19, 28-30, 35, 38, and 39 remain are pending in the present Application. No new matter has been added.

By way of summary, the Official Action presents the following issues: Claims 1, 18, and 19 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite; Claims 1-17, and 28 stand rejected under 35 U.S.C. § 103 as being unpatentable over Katz (U.S. Patent No. 6,055,513) in view of Alloul et al. (U.S. Patent No. 6,032,130, hereinafter Alloul), and further in view of Levine et al. (U.S. Patent No. 6,209,094, hereinafter Levine); and, Claims 29, 35, and 39 stand rejected under 35 U.S.C. § 103 as being unpatentable over Alloul in view of Katz.

Applicants thank the Examiner and his Supervisor for the courtesy of an interview extended to the Applicants' representative on April 18, 2006. During the interview, the rejections noted in the outstanding Office Action were discussed. Agreement was reached during the interview. The rejections under 35 U.S.C. 112 have been withdrawn. Accordingly, these rejections will not be addressed further in the response.

REJECTION UNDER 35 U.S.C. § 103

The outstanding Official Action has rejected Claims 1-17, and 28 under 35 U.S.C. § 103 as being unpatentable over Katz in view of Alloul, and further in view of Levine. The Official Action contends that Katz discloses all of the Applicants' claim limitations, with the exception of the media server, as recited in Applicants' claims and a preview version of multimedia material items, as recited in Applicants' claims. However, the Official Action cites Alloul and Levine as disclosing these more detailed aspects of the Applicants'

invention, and states that it would have been obvious for one of ordinary skill in the art at the time the invention was made to combine the cited references for arriving at the Applicants' claims. Applicants respectfully traverse the rejection.

By way of background, multimedia data, including audio/video material, is increasingly distributed in electronic form, such as over the Internet. In distributing such material, there is great interest in securing the content, such that it is not widely distributed without authorization from the content provider.[1]

In light of at least the above deficiency in the art, the present invention is provided. With at least the above object in mind, a brief comparison of the claimed invention, in view of the cited references, is believed to be in order.

Applicants' Claim 1 recites, *inter alia*, a multimedia transaction processor for facilitating the sale of multimedia material, including:

> . . . a media server operable to store a preview version of multimedia material items, which are received from one or more vendors, the preview version of the multimedia material being formed with perceivable impairments produced by generating a reduced quality representation of the material, to the effect that an amount of data required to represent the multimedia material is substantially reduced, and the reduced quality discourages copying of the multimedia material . . .

The multimedia transaction processor according to the limitations of Claim 1 cannot be formed from a combination of Katz and Allouol because there is no disclosure of a media server storing data identifying the vendor of the multimedia material with the preview version of the multimedia material.

As disclosed in an exemplary embodiment of the invention, a multimedia transaction processor allows vendors to vend multimedia material by presenting a preview version of the material of reduced quality with metadata and an identification of the vendor to the

[1] Application at page 1.

multimedia transaction processor. The media server allows clients to download the preview version of the multimedia material items and in response to a request to order the multimedia material from the client, a transaction controller communications to the vendor identified by the stored identification the request to order the multimedia material. This claimed feature is not disclosed in a combination of Katz and Alloul.

Further, the Official Action alleges that Levine discloses a preview version of the multimedia items which are received from one or more vendors.[2] However, there is no disclosure in Levine, or any of the cited references, to preview versions of material. Furthermore, there is no disclosure of such previews being received from vendors. More importantly, Levine teaches watermarking material to the effect that the watermark is not perceivable to a user. For example, in column 5, lines 3-5, it is stated that for an audio signal, inclusion of a basis signal (watermark signal) with the audio signal would be imperceptible to a human listener of the substantive audio content of the audio signal. Furthermore, even in the cited passages between column 6, line 60 and column 7, lines 29, Levine refers to quantization which has an effect of degrading the digital signal by a predetermined constant amount which is selected near the limit of human perception. Accordingly, Levine teaches that the watermark data is added to parts of an audtio signal which can tolerate extra noise without being perceptible to a human listener and the quality of the audio signal is not compromised. Hence, Levine does not disclose, or suggest, providing preview versions of multimedia material formed with perceivable impairments produced by generating a reduced quality representation of the material, to the effect that an amount of data required to represent the material is substantially reduced. Furthermore, the reduction in quality is not disclose as discouraging copying of the multimedia material. Finally, column 10, lines 41-57

[2] *See* Official Action at page 4.

of Alloul does not disclose, or suggest, data identifying the vendor of the material being stored in association with a preview version.

Accordingly, Katz, Alloul, and Levine, either alone or in combination, fail to disclose, teach, suggest or provide the requisite motivation for a skilled artisan to practice the instantly claimed invention and the rejected claims should now be allowed.

CONCLUSION

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present Application, including Claims 1-3, 5-19, 28-30, 35, 38, and 39, is patently distinguished over the prior art, in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

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